

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

MARLOWE MALONE,	:	Case No. 1:17-cv-413
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Litkovitz
vs.	:	
	:	
NURSE PRACTITIONER	:	
CONLEY, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY  
ADOPTING THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 21)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on April 2, 2018, submitted a Report and Recommendation. (Doc. 21). No objections were filed.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that the Report and Recommendation should be and is hereby **ADOPTED** in its entirety.

Accordingly, for the reasons stated above:

- 1) Defendant Conley's motion to dismiss (Doc. 9) is **DENIED**.
- 2) Defendant Conley is **GRANTED** an extension of time until 20 days after this Order is issued to file a responsive pleading.

3) Plaintiff's motion to amend the complaint (Doc. 16) is **DENIED**.

**IT IS SO ORDERED.**

Date: 7/31/18

Timothy S. Black  
Timothy S. Black  
United States District Judge